IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.38040 of 2007
TUNTUN SINGH, S/o Nathuni Singh, r/o Nonhar, P.s. Suryapura, District Rohtas
…….. Petitioner
Versus
1. STATE OF BIHAR
2. Rishikeshwar Singh, S/o Bashawan Singh, R/o Nonhar.
. .. Opp. Parties
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2 10.12.2008 Heard Mr. Digvijay Kumar Ojha, learned counsel for the petitioner and Dr. Mayanand Jha, the learned A.P.P. for the State.

Through this application the petitioner has prayed for the quashing of the F.I.R. of Nawanagar P.S. Case No. 141 of 2002 registered under section 366A I.P.C. on the ground that the victim girl has filed a petition before the learned Chief Judicial Magistrate which is appended as Annexure 2 to this application to the effect that she is 23 years old and has solemnized marriage with the petitioner out of a free will and volition.

To a query by the Court, learned counsel for the petitioner submits that charge sheet has already been submitted in this case and cognizance has been taken.

Due regard being had to the facts that charge sheet has been submitted and cognizance has been taken has become infructuous.

Accordingly it is dismissed as having infructuous.

(Abhijit Sinha, J.)

spd/-

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